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SIPDIS

DEPARTMENT FOR L/LEI, INL/C, EUR/PGI

E.O. 12958: N/A

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SUBJECT: AUSTRIA: CYBERCRIME CONVENTION RATIFICATION;
UNCAC, UNTOC

REF: STATE 77138

¶1. (U) Summary. Austrian plans to seek ratification of the Cybercrime Convention in the second half of 2008 have been delayed by the collapse of the government and call for early election. Ratification is now likely in the first half of ¶2009. Austria would welcome bilateral consultations on the UNCAC and UNTOC in light of various meetings scheduled, inter alia in Vienna, in the fall. See action requests in paras 3 and 4. End Summary.

Convention on Cybercrime

¶2. (U) A/DCM met July 25 with MFA Director for Justice and Home Affairs Johann Brieger to discuss reftel demarche. Brieger reported that the MFA had consultations scheduled with the Austrian Justice Ministry on August 6 to discuss the ratification of the Cybercrime Convention and 7 or 8 other (UN) conventions on legal matters, including a UN terrorism convention. The Ministry had hoped, despite "capacity constraints" in the Ministry of Justice, to complete ratification of the Cybercrime Convention by the end of the year. However, the collapse of the Austrian government in early July, which will lead to national elections on September 28 and expected prolonged negotiations on a new government, mean that ratification is now unlikely until some time in the first half of 2009.

¶3. (U) The Austrians were not aware of the Russian proposal for new negotiations on a "cyber terrorism" agreement, but were not on first hearing favorable to either a new set of negotiations or to substantive renegotiation of the existing convention. Action request: Brieger asked for further background on rationale behind and details of the Russian position.

UNCAC and UNTOC

¶4. (U) Brieger welcomed the U.S. view of the importance of UNCAC and UNTOC, which Austria shared. The GoA sees these conventions as important elements in the "human security" dimension of its foreign policy. Brieger was particularly pleased because he had understood that the U.S. was critical of the peer review process in UNCAC. Action request: Brieger said Austria would welcome bilateral exchange of views on the two instruments in advance of the various autumn meetings relevant to these conventions. Brieger suggested meetings with the new Austrian Ambassador to the UN in Vienna, Helmut Boeck, and proposed the second half of August as a possible timeframe. Embassy will work with UNVIE on this proposal.

